

revisions in the system. Within 30 days after the certificate holder receives such notice, the certificate holder may file a petition to reconsider the notice with the Director, Flight Standards Service. This filing of a petition to reconsider stays the notice pending a decision by the Director, Flight Standards Service. However, if the certificate-holding district office finds that there is an emergency that requires immediate action in the interest of safety in air transportation, the Director, Flight Standards Service may, upon statement of the reasons, require a change effective without stay.

[Doc. No. 6258, 29 FR 19194, Dec. 31, 1964, as amended by Amdt. 121–162, 45 FR 46738, July 10, 1980; Amdt. 121–207, 54 FR 39293, Sept. 25, 1989; Amdt. 121–253, 61 FR 2610, Jan. 26, 1996]

#### § 121.99 Communication facilities.

(a) Each certificate holder conducting domestic or flag operations must show that a two-way radio communication system or other means of communication approved by the Administrator is available at points that will ensure reliable and rapid communications, under normal operating conditions over the entire route (either direct or via approved point-to-point circuits) between each airplane and the appropriate dispatch office, and between each airplane and the appropriate air traffic control unit, except as specified as § 121.351(c).

(b) For the following types of operations, the communications systems between each airplane and the dispatch office must be independent of any system operated by the United States:

- (1) All domestic operations;
- (2) Flag operations in the 48 contiguous States and the District of Columbia; and
- (3) After March 12, 2001, flag operations outside the 48 contiguous States and the District of Columbia.

[Doc. No. 28154, 62 FR 13256, Mar. 19, 1997]

#### § 121.101 Weather reporting facilities.

(a) Each certificate holder conducting domestic or flag operations must show that enough weather reporting services are available along each route to ensure weather reports and forecasts necessary for the operation.

(b) Except as provided in paragraph (d) of this section, no certificate holder conducting domestic or flag operations may use any weather report to control flight unless—

(1) For operations within the 48 contiguous States and the District of Columbia, it was prepared by the U.S. National Weather Service or a source approved by the U.S. National Weather Service; or

(2) For operations conducted outside the 48 contiguous States and the District of Columbia, it was prepared by a source approved by the Administrator.

(c) Each certificate holder conducting domestic or flag operations that uses forecasts to control flight movements shall use forecasts prepared from weather reports specified in paragraph (b) of this section and from any source approved under its system adopted pursuant to paragraph (d) of this section.

(d) Each certificate holder conducting domestic or flag operations shall adopt and put into use an approved system for obtaining forecasts and reports of adverse weather phenomena, such as clear air turbulence, thunderstorms, and low altitude wind shear, that may affect safety of flight on each route to be flown and at each airport to be used.

[Doc. No. 6258, 29 FR 19194, Dec. 31, 1964, as amended by Amdt. 121–27, 36 FR 13911, July 28, 1971; Amdt. 121–134, 42 FR 27573, May 31, 1977; Amdt. 121–253, 61 FR 2610, Jan. 26, 1996]

#### § 121.103 En route navigational facilities.

(a) Except as provided in paragraph (b) of this section, each certificate holder conducting domestic or flag operations must show, for each proposed route, that nonvisual ground aids are—

(1) Available over the route for navigating aircraft within the degree of accuracy required for ATC; and

(2) Located to allow navigation to any regular, provisional, refueling, or alternate airport, within the degree of accuracy necessary for the operation involved.

Except for those aids required for routes to alternate airports, nonvisual ground aids required for approval of routes outside of controlled airspace are listed in the certificate holder's operations specifications.

(b) Nonvisual ground aids are not required for—

(1) Day VFR operations that the certificate holder shows can be conducted safely by pilotage because of the characteristics of the terrain;

(2) Night VFR operations on routes that the certificate holder shows have reliably lighted landmarks adequate for safe operation; and

(3) Operations on route segments where the use of celestial or other specialized means of navigation is approved by the Administrator.

[Doc. No. 6258, 29 FR 19194, Dec. 31, 1964, as amended by Amdt. 121-253, 61 FR 2610, Jan. 26, 1996]

#### **§ 121.105 Servicing and maintenance facilities.**

Each certificate holder conducting domestic or flag operations must show that competent personnel and adequate facilities and equipment (including spare parts, supplies, and materials) are available at such points along the certificate holder's route as are necessary for the proper servicing, maintenance, and preventive maintenance of airplanes and auxiliary equipment.

[Doc. No. 28154, 61 FR 2610, Jan. 26, 1996]

#### **§ 121.107 Dispatch centers.**

Each certificate holder conducting domestic or flag operations must show that it has enough dispatch centers, adequate for the operations to be conducted, that are located at points necessary to ensure proper operational control of each flight.

[Doc. No. 28154, 61 FR 2610, Jan. 26, 1996]

### **Subpart F—Approval of Areas and Routes for Supplemental Operations**

SOURCE: Docket No. 6258, 29 FR 19195, Dec. 31, 1964, unless otherwise noted.

#### **§ 121.111 Applicability.**

This subpart prescribes rules for obtaining approval of areas and routes by certificate holders conducting supplemental operations.

[Doc. No. 28154, 61 FR 2610, Jan. 26, 1996]

#### **§ 121.113 Area and route requirements: General.**

(a) Each certificate holder conducting supplemental operations seeking route and area approval must show—

(1) That it is able to conduct operations within the United States in accordance with paragraphs (a) (3) and (4) of this section;

(2) That it is able to conduct operations in accordance with the applicable requirements for each area outside the United States for which authorization is requested;

(3) That it is equipped and able to conduct operations over, and use the navigational facilities associated with, the Federal airways, foreign airways, or advisory routes (ADR's) to be used; and

(4) That it will conduct all IFR and night VFR operations over Federal airways, foreign airways, controlled airspace, or advisory routes (ADR's).

(b) Notwithstanding paragraph (a)(4) of this section, the Administrator may approve a route outside of controlled airspace if the certificate holder conducting supplemental operations shows the route is safe for operations and the Administrator finds that traffic density is such that an adequate level of safety can be assured. The certificate holder may not use such a route unless it is approved by the Administrator and is listed in the certificate holder's operations specifications.

[Doc. No. 6258, 29 FR 19195, Dec. 31, 1964, as amended by Amdt. 121-253, 61 FR 2610, Jan. 26, 1996]

#### **§ 121.115 Route width.**

(a) Routes and route segments over Federal airways, foreign airways, or advisory routes have a width equal to the designated width of those airways or advisory routes. Whenever the Administrator finds it necessary to determine the width of other routes, he considers the following:

(1) Terrain clearance.  
(2) Minimum en route altitudes.  
(3) Ground and airborne navigation aids.

(4) Air traffic density.  
(5) ATC procedures.  
(b) Any route widths of other routes determined by the Administrator are